

Serial No. 09/827,226  
67108-043; Wong 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Marcus Wong

OCT 11 2005

Serial No.: 09/827,226

Examiner: Shifcraw, Eleni A.

Filed: April 5, 2001

Group Art Unit: 2136

Title: SYSTEM AND METHOD FOR PROVIDING SECURE COMMUNICATIONS  
BETWEEN WIRELESS UNITS USING A COMMON KEY

REQUEST FOR RECONSIDERATION

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Office Action mailed on August 10, 2005. Applicant respectfully requests reconsideration of this application.

Applicant respectfully traverses the rejections under 35 U.S.C. §103 based upon the proposed combination of *Johnston, Terao, et al.*, and *Ellison*. There is no *prima facie* case of obviousness.

A proposed combination cannot be made where it goes directly contrary to the teachings of the primary reference. A proposed modification to the primary reference cannot defeat an intended operation or remove an intended feature of the teachings of that reference. In this instance, the Examiner's proposed combination undoes one of the stated goals of the *Johnston* reference. The Examiner proposes adding a "common key" from *Terao, et al.* into the *Johnston* arrangement. This is directly contrary to the intention of *Johnston's* teachings.